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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 MITCHELL JENKINS,

13 Defendant.

2:24-cv-00346-JCM-EJY

**Stipulation to Extend Time to File the
United States' Answering Brief**

(Six Request)

14 IT IS HEREBY STIPULATED AND AGREED, by and between Sue Fahami, Acting
15 United States Attorney, and Skyler H. Pearson, Assistant United States Attorney, counsel for the
16 United States of America, and Rene L. Valladares, Federal Public Defender, and Joy Chen,
17 Assistant Federal Public Defender, counsel for Mitchell Jenkins, that the due date for the United
18 States' answering brief be extended fourteen (14) days, to **February 24, 2025**. This stipulation is
19 entered into for the following reasons:

20 1. This case involves an appeal from a bench trial in which Mr. Jenkins was convicted
21 of one count of resisting arrest, a violation of 43 C.F.R. § 8365.1-4(a)(4).

22 2. The parties disagreed about the proper interpretation of the regulation, for which
23 there is little governing caselaw, and the sufficiency of the evidence presented at trial.
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1 3. Given the relative complexity of the appeal, the need to attend to more pressing
2 matters in other cases, and the current schedules of the assigned AUSA and management that
3 would need to review the brief, including the Appellate Chief of the United States Attorney's Office
4 for the District of Nevada, the parties agree that additional time is warranted to allow for the
5 preparation, review, and filing of the answering brief.

6 4. The defendant is out of custody and does not oppose the continuance.

7 5. The parties agree this will be the last request sought to extend the filing of this brief.
8 This is the six request to extend this deadline.

9 Respectfully submitted this 6th day of February 2025.

10
11 /s/ Skyler H. Pearson
12 Skyler H. Pearson, Esq.
 Assistant United States Attorney

/s/ Joy Chen
 Joy Chen
 Assistant Federal Public Defender

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

2:24-cv-00346-JCM-EJY

4 Plaintiff,

ORDER

5 v.

6 MITCHELL JENKINS,

7 Defendant.

8 IT IS THEREFORE ORDERED that upon consideration of the United States' request to
9 extend time to file an answering brief, that the United States' deadline to file its answering brief is
10 extended to **February 24, 2025**.

11 Dates this 6th day of February, 2025

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13 UNITED STATES MAGISTRATE JUDGE
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